

CULPEPPER IP, LLC

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Attorney for Plaintiff

Eve Nevada, LLC

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

Eve Nevada, LLC,

Plaintiff,

vs.

Dietrich Riley, et al.

Defendants.

) **Case No.: 1:20-cv-475-DKW-KJM**
) **(Copyright)**

) **STIPULATION FOR DISMISSAL**
) **WITH PREJUDICE OF**
) **DEFENDANT MICHAEL**
) **MCCRACKIN PURSUANT TO**
) **FED. R. CIV. P. 41**

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**STIPULATION FOR DISMISSAL WITH PREJUDICE OF DEFENDANT
MICHAEL MCCRACKIN PURSUANT TO FED. R. CIV. P. 41**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Eve Nevada, LLC ("Plaintiff"), by and through its counsel, and Defendant MICHAEL MCCRACKIN, appearing *pro se*, that pursuant to Rules 41(a)(1)(A)(ii) and 41(a)(2) of the Federal Rules of Civil Procedure, this action and all claims asserted herein

by Plaintiff against Defendant MICHAEL MCCRACKIN be and is hereby dismissed with prejudice.

No fees and/or costs are sought to be awarded. Each party is to bear any remaining costs and attorneys' fees other than the amounts to be paid pursuant to a confidential Settlement and Release Agreement ("Settlement Agreement") executed between the parties.

No claims, including any counterclaim, cross-claim, or third-party claim, would remain following dismissal.

No answer or motion for summary judgment has been filed.

This Stipulation has been executed by Plaintiff's counsel and Defendant MICHAEL MCCRACKIN and thus all parties who have appeared.

Note this action does not terminate the matter as claims remain against other Defendants.

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DATED: Kailua-Kona, Hawaii, March 5, 2021.

CULPEPPER IP, LLC

/s/ Kerry S. Culpepper
Kerry S. Culpepper
Attorney for Plaintiff

DATED: San Diego, California, March 11, 2021.

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MICHAEL MCCRACKIN
Defendant

APPROVED AS TO FORM:

DATED: April 8, 2021 at Honolulu, Hawai'i.



/s/ Derrick K. Watson
Derrick K. Watson
United States District Judge

Eve Nevada, LLC v. Dietrich Riley, et al; Civ. No. 1:20-cv-475-DKW-KJM;
**STIPULATION FOR DISMISSAL OF DEFENDANT MICHAEL
MCCRACKIN WITH PREJUDICE**